

SUPREME COURT OF WISCONSIN
OFFICE OF LAWYER REGULATION

Public Reprimand With Consent

2006-OLR-6

MICHAEL G. TREWIN,
Attorney at Law

The Respondent, Michael G. Trewin, 46, practices in New London, Wisconsin. This reprimand is based on the following conduct.

On July 27, 2004, the Supreme Court suspended Attorney Trewin's license for five months, effective August 31, 2004, and ordered him to comply with the requirements of Supreme Court 22.26. See Disciplinary Proceedings Against Trewin, 2004 WI 116, 275 Wis. 2d 116, 684 N.W.2d 121 (2004).

On September 22, 2004, Attorney Trewin signed an affidavit required by SCR 22.26(1)(e), which OLR received on September 24, 2004. Paragraph 1 of that affidavit stated:

That I have complied with all of the provisions of SCR 22.26, as I have notified all clients that my license to practice law has been suspended, and have informed the courts in which I previously had pending matters of the suspension.

Paragraph 3 of the affidavit stated "That the following is a list of all pending matters, prior to August 31, 2004, that I was involved in:" and listed matters involving several clients. On February 10, 2005, Attorney Trewin filed an affidavit required for his reinstatement, pursuant to SCR 22.28(2). In that affidavit, he stated that he mistakenly omitted 5 cases from his affidavit of September 22, 2004, "but did inform the clients of the suspension, and in three of the matters, filed stipulations to withdraw or substitute counsel" The affidavit listed those five clients.

On February 16, 2005, the Office of Lawyer Regulation (OLR) reported to the Court that while Attorney Trewin had not fully complied with the terms of the suspension order, reinstatement should be granted. On February 17, 2005, the Court reinstated Attorney Trewin's license to practice law.

Investigation revealed that Attorney Trewin had failed to notify the court and opposing counsel of his suspension before the effective date of his suspension in several cases, including In Re Besaw, Bankruptcy Case #04-28163 E.D. Wis.; Cavalry v. Brasch, Waupaca County Case # 2004SC000618; In Re DaWalt, Bankruptcy Case Number #04-29527 E.D. Wis.; In Re Drozd, Bankruptcy Case #04-32324 E.D. Wis.; In Re Esselman, Bankruptcy Case #04-31671 E.D. Wis.; In Re George, Bankruptcy Case # 04-31687 E.D. Wis.; In Re Groshek, Bankruptcy Case #1-04-11858 W.D. Wis.; In Re Larsen, Bankruptcy Case #04-30446 E.D. Wis.; In Re Moderson, Bankruptcy Case #04-30449 E.D. Wis.; In Re Schiedermayer, Bankruptcy Case #03-02333 E.D. Wis., (Adversary Proceeding on behalf of James Schiedermayer); In Re Shafer, Jr., Bankruptcy Case # 04-32318 E.D. Wis.; Badgerland v. Shafer, Fond du lac County Case # 2003CV000452; In Re Shafer, Sr., Bankruptcy Case # 04-32321 E.D. Wis.; In Re Sowatzke, Bankruptcy Case #04-29530 E.D. Wis.; State v. Van Straten, Outagamie County Case #2004FO000220); and In Re Wohlrabe, Bankruptcy Case #04-28165 E.D. Wis.

Investigation revealed that Attorney Trewin had failed to notify the court and opposing counsel of his suspension before the effective date of his suspension in several cases, including Ellis v. Jones, Sauk County Case number 2003SC001082.

Investigation further revealed that Attorney Trewin failed to notify the court of his suspension before the effective date of his suspension in these additional cases: Menominee Gas Inc. v. Chevalier, Menominee County Case Number 2004CV000016; F&M Bank v. Vaughan,

Waupaca County Case # 2004CV000229; and Fowler v. Shafer, Winnebago County Case # 2003CV000524.

Attorney Trewin represented F&M Bank in F&M Bank v. Vaughan, Waupaca County Case # 2004CV000229. He also represented the petitioners in bankruptcy (In Re Groshek, Bankruptcy Case #1-04-11858 W.D. Wis.). F&M Bank was a creditor of the bankruptcy petitioners; its interest in the bankruptcy was adverse to the petitioners. Attorney Trewin simultaneously represented both parties from June 14, 2004, to at least August 30, 2004.

By failing to list all matters pending before any court in his affidavit of September 22, 2004, Attorney Trewin violated SCR 20:8.4(f) and SCR 22.26(1)(e)(iii).

By failing to notify the Court and attorneys for other parties in writing on or before the effective date of his license suspension concerning his inability to act as an attorney after the effective date of his suspension, Attorney Trewin violated SCR 20:8.4(f) and SCR 22.26(1)(c).

By representing petitioners in In Re Groshek, Bankruptcy Case #1-04-11858, when that representation was directly adverse to another client, F&M Bank-Wisconsin, whom he concurrently represented in F&M Bank v. Vaughan, Waupaca County Case # 2004CV000229, Attorney Trewin violated SCR 20:1.7(a).

In accordance with SCR 22.09(3), Attorney Michael G. Trewin is hereby publicly reprimanded.

Dated this 6th day of July, 2006.

SUPREME COURT OF WISCONSIN

/s/ John R. Decker
Referee John R. Decker